

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Ernest Calvino Jr.

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

Tesla

Amend
COMPLAINT

Do you want a jury trial?

☐ Yes ☒ No

1:20-CV-00757-UA

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2-3-20

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☒ Federal Question
- ☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Data breach, conspiracy of illegal spying,
electronic harassment, conspiracy of computer
theft, conspiracy of Trade Secret Theft

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Ernest Calvino Sr., is a citizen of the State of
(Plaintiff's name)

New York city
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

I, defendant is an individual:

The defendant, Tesla, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If the defendant is a corporation:

The defendant, , is incorporated under the laws of the State of

and has its principal place of business in the State of

or is incorporated under the laws of (foreign state)

and has its principal place of business in

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>Ernest</u>	<u>Jr.</u>	<u>Calvino</u>
First Name	Middle Initial	Last Name
<u>3600 Jerome Ave.</u>		
Street Address		
<u>Bronx</u>	<u>N.Y.</u>	<u>10467</u>
County, City	State	Zip Code
<u> </u>		<u> </u>
Telephone Number		Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: Elon Monk
 First Name Last Name
Tesla
 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 2: _____
 First Name Last Name

 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 3: _____
 First Name Last Name

 Current Job Title (or other identifying information)

 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIMPlace(s) of occurrence: via electronic communication

Date(s) of occurrence: _____

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

I am requesting to stop the process of claim and hearing because of the bad circumstance. I am in, Part of the information on that claim is sensitive information that probably was taken by an illegal spy, via or hidden electronic audio or video. I need to patent first. My name is Ernest Calvino Jr. because I do not want the Tesla people to know the Trade Secret on the claim, I try to file. The reason is because they been involve with people in the past that have stolen intellectual property from

my. They are part of the people that illegally steal my information with high Tech device that are hided in the places, I go, audio, video and The device that monitor my brain attivity I will like to protect that information patenting it and later resgwesting a hearing I am not ready for court hearing because the conspiracy that is against my. Theres people conspiary try to avoid my to prove my intellectual property, conspiary to against my to avoid my prove the brain monitor device existet and

INJURIES: If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received. that, I am beeing ilegaly spy and monitor.

Risk of Trade Secret beeing publish and losing the patent. lost of information that part of investigation.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

Justice, Resgwesting support to patent, investigate other trade secret faked from my. Request all information to be private and protect. Patent all my intellectual property under my person, under my name, because of Scamer try to get in the hearing to obstruct my legal right, constitutional right, to obstruct my successes and avoid my to gain control over my money, asset, businesses, propety, intellectual property (Trade Secrets).

PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>2/3/2020</u>		<u>Ernest Calvino</u>	
Dated		Plaintiff's Signature	
<u>Ernest</u>	<u>Jr</u>	<u>Calvino</u>	
First Name	Middle Initial	Last Name	
<u>3600 Jerome Ave.</u>			
Street Address			
<u>Bronx</u>	<u>N.Y.</u>	<u>10467</u>	
County, City	State	Zip Code	
_____ Telephone Number		_____ Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Note: This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address

Date

Signature

Return completed form to:

Pro Se Intake Unit (Room 200)
500 Pearl Street
New York, NY 10007